

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION**

In re:

**VINCENT J. VISCONTI
ANNETTE M. VISCONTI
Debtors**

Chapter 7
Case No. 08-43348-JBR

MOTION TO AVOID JUDICIAL LIEN

NOW COME the Debtors, by their counsel, and move this Honorable Court pursuant to the provisions of 11 U.S.C. §522(f)(1), Rules 4003(d) and Rule 9014 of the Rules of Bankruptcy Procedure, and Rule 4003-1 of the Local Rules of this Court for an avoidance of a judicial lien encumbering their primary residence.

In support hereof, the Debtors state as follows:

1. On October 18, 2008, the Debtors caused to be filed their voluntary Chapter 7 case with this Court.

2. At the time of their bankruptcy filing, the Debtors were the owners of property serving as their primary residence located at 32 Lavender Circle, North Andover, Massachusetts (the "Property").

3. Within the Debtors' bankruptcy schedules, and pursuant to a Declaration of Homestead recorded with the Essex North District Registry of Deeds on January 14, 2008, the Debtors have declared their equity interest in the Property exempt pursuant to the provisions of M.G.L. c.188 §1.

4. Furthermore, pursuant to the provisions of Rule 4003-1(a) of the Local Rules of this Court, the Debtors allege as follows:

11/5/08. ALLOWED. No objections filed. Joel B. Rountel

CERTIFICATE OF NOTICE

District/off: 0101-4
Case: 08-43347

User: mbd
Form ID: pdf012

Page 1 of 1
Total Served: 2

Date Rcvd: Nov 05, 2008

The following entities were served by first class mail on Nov 07, 2008.
db +Ivan D. Mejia, 15 Clare Street, Apt #2, Lowell, MA 01854-3103
jdb +Alejandra M Estrada, 934 Westford Street, Lowell, MA 01851-2829

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 07, 2008

Signature:

